

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

NELSON PEREZ,
a/k/a "Pito,"
a/k/a "Stars,"
MIGUEL CRUZ,
a/k/a, "Flaco,"
MALI RODRIGUEZ,
a/k/a "Wise,"
a/k/a "Haze," and
GABRIEL DE LA NUEZ,
a/k/a "Lito,"

Defendants.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: OCT 11 2018

SEALED INDICTMENT

18 Cr.

18 CRIM 743

JUDGE OETKEN

COUNT ONE

The Grand Jury charges:

1. From at least in or about March 2017, up to and including in or about January 2018, in the Southern District of New York and elsewhere, NELSON PEREZ, a/k/a "Pito," a/k/a "Stars," MIGUEL CRUZ, a/k/a "Flaco," MALI RODRIGUEZ, a/k/a "Wise," a/k/a "Haze," and GABRIEL DE LA NUEZ, a/k/a "Lito," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that NELSON PEREZ, a/k/a "Pito," a/k/a "Stars," MIGUEL CRUZ, a/k/a "Flaco," MALI RODRIGUEZ, a/k/a "Wise," a/k/a "Haze," and GABRIEL DE LA NUEZ, a/k/a "Lito," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that NELSON PEREZ, a/k/a "Pito," a/k/a "Stars," MIGUEL CRUZ, a/k/a "Flaco," MALI RODRIGUEZ, a/k/a "Wise," a/k/a "Haze," and GABRIEL DE LA NUEZ, a/k/a "Lito," the defendants, conspired to distribute and possess with the intent to distribute was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense charged in Count One of this Indictment, NELSON PEREZ, a/k/a "Pito," a/k/a "Stars," MIGUEL CRUZ, a/k/a "Flaco," MALI RODRIGUEZ, a/k/a "Wise," a/k/a "Haze," and GABRIEL DE LA NUEZ, a/k/a "Lito," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any

proceeds the defendants obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count One of this Indictment.

Substitute Assets Provision

If any of the above-described forfeitable property, as a result of any act or omission of NELSON PEREZ, a/k/a "Pito," a/k/a "Stars," MIGUEL CRUZ, a/k/a "Flaco," MALI RODRIGUEZ, a/k/a "Wise," a/k/a "Haze," and GABRIEL DE LA NUEZ, a/k/a "Lito," the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C.
§ 853(p), to seek forfeiture of any other property of the
defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON

GEOFFREY S. BERMAN
United States Attorney

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(Title 21, United States Code, Section
846.)

GEOFFREY S. BERMAN
United States Attorney.

A TRUE BILL


Foreperson.

10/11/18 FILED INDICTMENT WARRANT ISSUED

COTT, JMD